

stitutions of higher education (including historically black colleges and universities and minority-serving institutions), federally funded research and development centers, and individuals in defense-related research, development, test, and evaluation activities;

(7) shall advise in the establishment of a strategic plan for outreach to, and recruiting from, untapped locations and underrepresented demographic groups;

(8) shall coordinate with, and be supported by, the Office of People Analytics on studies, assessments, and related work relevant to diversity and inclusion; and

(9) shall perform such additional duties and exercise such powers as the Secretary of Defense may prescribe.

(Added Pub. L. 116-283, div. A, title IX, §913(a)(1), Jan. 1, 2021, 134 Stat. 3802.)

EFFECTIVE DATE

Pub. L. 116-283, div. A, title IX, §913(c), Jan. 1, 2021, 134 Stat. 3804, provided that: “This section [enacting this section and provisions set out as a note below] and the amendments made by this section shall take effect on February 1, 2021.”

SENIOR ADVISORS FOR DIVERSITY AND INCLUSION FOR THE MILITARY DEPARTMENTS AND COAST GUARD

Pub. L. 116-283, div. A, title IX, §913(b), Jan. 1, 2021, 134 Stat. 3803, provided that:

“(1) APPOINTMENT REQUIRED.—Each Secretary of a military department shall appoint within such military department a Senior Advisor for Diversity and Inclusion for such military department (and for the Armed Force or Armed Forces under the jurisdiction of such Secretary). The Commandant of the Coast Guard shall appoint a Senior Advisor for Diversity and Inclusion for the Coast Guard.

“(2) QUALIFICATIONS AND LIMITATION.—Each Senior Advisor for Diversity and Inclusion shall be appointed from among persons who have an extensive management or business background and experience with diversity and inclusion. A person may not be appointed as Senior Advisor for Diversity and Inclusion within three years after relief from active duty as a commissioned officer of a regular component of an Armed Force.

“(3) REPORTING.—A Senior Advisor for Diversity and Inclusion shall report directly to the Secretary of the military department within which appointed. The Senior Advisor for Diversity and Inclusion for the Coast Guard shall report directly to the Commandant of the Coast Guard.

“(4) DUTIES.—A Senior Advisor for Diversity and Inclusion, with respect to the military department and Armed Force or Armed Forces concerned—

“(A) is responsible for providing advice, guidance, and coordination for all matters related to diversity and inclusion;

“(B) shall advise in the establishment of training in diversity dynamics and training in practices for leading diverse groups effectively;

“(C) shall advise and assist in evaluations and assessments of diversity;

“(D) shall develop a strategic diversity and inclusion plan, which plan shall be consistent with the strategic plan developed and maintained pursuant to subsection (b)(3) of section 147 of title 10, United States Code (as added by subsection (a) of this section);

“(E) shall develop strategic goals and measures of performance related to efforts to reflect the diverse population of the United States eligible to serve in the Armed Forces, which goals and measures of performance shall be consistent with the strategic

metrics defined pursuant to subsection (b)(4) of such section 147; and

“(F) shall perform such additional duties and exercise such powers as the Secretary of the military department concerned or the Commandant of the Coast Guard, as applicable, may prescribe.”

§ 148. Joint Energetics Transition Office

(a) IN GENERAL.—The Secretary of Defense shall establish a Joint Energetics Transition Office (in this section referred to as the “Office”) within the Department of Defense. The Office shall carry out the activities described in subsection (c) and shall have such other responsibilities relating to energetic materials as the Secretary shall specify.

(b) LEADERSHIP AND ADMINISTRATION.—

(1) The Under Secretary of Defense for Acquisition and Sustainment shall designate an individual to serve as the head of the Office. The Under Secretary shall select such individual from among officials of the Department of Defense serving in organizations under the jurisdiction of the Under Secretary at the time of such designation. The head of the Office shall—

(A) report directly to the Under Secretary of Defense for Acquisition and Sustainment; and

(B) coordinate, as appropriate, with the Under Secretary of Defense for Research and Engineering.

(2) The Under Secretary of Defense for Research and Engineering shall designate an individual to serve as the deputy head of the Office. The Under Secretary shall select such individual from among officials of the Department of Defense serving in organizations under the jurisdiction of the Under Secretary at the time of such designation. The deputy head of the Office shall report directly to the head of the Office and to the Under Secretary of Defense for Research and Engineering.

(3) The head of the Office and deputy head of the Office shall be responsible for the overall management and operation of the Office. The Under Secretaries shall ensure that the head and deputy head of the Office are not assigned outside duties that would diminish their ability to effectively manage and operate the Office.

(c) RESPONSIBILITIES.—The Office shall do the following:

(1) Develop and periodically update an energetic materials strategic plan and investment strategy to guide investments in both new and legacy energetic materials and technologies across the entire supply chain for the total life cycle of energetic materials, including raw materials, ingredients, propellants, pyrotechnics, and explosives for munitions, weapons, and propulsion systems. Such strategy and plan shall provide for—

(A) developing or supporting the development of strategic plans for energetic materials and technologies, including associated performance metrics for the Office, over the periods covered by the future-years defense program required under section 221 of this title and the program objective memorandum process;

(B) initiating special studies or analyses—

(i) to determine targets that would be optimally addressed or defeated by weapons that incorporate novel energetic materials; and

(ii) to inform the program objective memorandum process; and

(C) identifying any shortfalls in the supply chain for energetic materials and developing plans to alleviate any shortfalls through the expansion of the energetic materials industrial base to include critical contractors, subcontractors, and suppliers.

(2) Coordinate and ensure consistency and congruity among research, development, test, and evaluation efforts in energetic materials across the Department of Defense—

(A) to identify promising new energetic materials and technologies;

(B) to mature, integrate, prototype, test, and demonstrate novel energetic materials and technologies, including new materials and manufacturing technologies;

(C) to expedite testing, evaluation, and acquisition of energetic materials and technologies to meet the emergent needs of the Department, including the rapid integration of promising new materials and other promising energetic compounds into weapons platforms;

(D) to identify or establish prototyping demonstration venues to integrate advanced technologies that speed the maturation and deployment of energetic materials; and

(E) to support collaboration among industry, academia, and elements of the Department of Defense to transition energetic materials and technologies from the research and development phase to production and operational use within the Department.

(3) Oversee a process to expedite—

(A) the validation, verification, and accreditation of modeling and simulation of energetic materials for the development of requirements; and

(B) the qualification process for energetic materials, from discovery through transition to production and integration into weapon systems.

(4) Recommend changes to laws, regulations, and policies that present barriers or extend timelines for the expedited process described in paragraph (3).

(5) Coordinate with other organizations involved in energetic materials activities within the Department of Defense, including the Armed Forces, and across other departments and agencies of the Federal Government.

(6) Pursuant to the authority provided under section 191 of this title, establish and manage a Department of Defense Field Activity dedicated to systems engineering associated with energetic materials. Such Field Activity shall be funded under budget activity 3 (advanced technology development) or budget activity 4 (advanced component development and prototypes) (as such budget activity classifications are set forth in volume 2B, chapter 5 of the Department of Defense Financial Management

Regulation (DOD 7000.14-R)) to reduce technical risk, integrate research, development, test, and evaluation, and perform system demonstration programs of the Department of Defense on novel energetic materials for use in weapon systems.

(7) Carry out such other responsibilities relating to energetic materials as the Secretary shall specify.

(d) BUDGETING AND FUNDING REQUIREMENTS.—

(1) The Secretary of Defense shall ensure that the Office is budgeted for and funded in a manner sufficient to ensure the Office has the staff and other resources necessary to effectively carry out the responsibilities specified in subsection (c).

(2) In the budget justification materials submitted to Congress in support of the Department of Defense budget for fiscal year 2027 and each fiscal year thereafter (as submitted with the budget of the President under section 1105(a) of title 31), the Secretary of Defense shall include a dedicated budget line item for the implementation of subsection (a) and for the testing and evaluation of energetic materials and technologies by the Office.

(e) DEFINITIONS.—In this section, the term “energetic materials” means critical chemicals and formulations that—

(1) release large amounts of stored chemical energy; and

(2) are capable of being used as explosives, propellants, pyrotechnics, and reactive materials that—

(A) create lethal effects in warheads in kinetic weapons components and systems; or

(B) increase propellant performance in a weapon propulsion system as related to lethal effects, range, or speed.

(Added Pub. L. 118–31, div. A, title II, §241(a), Dec. 22, 2023, 137 Stat. 205; amended Pub. L. 118–159, div. A, title II, §211, Dec. 23, 2024, 138 Stat. 1823.)

Editorial Notes

AMENDMENTS

2024—Subsec. (d). Pub. L. 118–159 amended subsec. (d) generally. Prior to amendment, text read as follows: “The Secretary of Defense shall ensure that the Office is budgeted for and funded in a manner sufficient to ensure the Office has the staff and other resources necessary to effectively carry out the responsibilities specified in subsection (c).”

§ 149. Office of Strategic Capital

(a) ESTABLISHMENT.—There is in the Office of the Secretary of Defense an office to be known as the Office of Strategic Capital (in this section referred to as the “Office”).

(b) DIRECTOR.—The Office shall be headed by a Director (in this section referred to as the “Director”), who shall be appointed by the Secretary from among employees in Senior Executive Service positions (as defined in section 3132 of title 5), or from outside the civil service who have successfully held equivalent positions.

(c) DUTIES.—The Office shall—

(1) develop, integrate, and implement capital investment strategies proven in the commer-